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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09 726,041	11 30 2000	Endale G. Haile-mariam	HMR-201	8700

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EXAMINER

BROWN, KHALED

ART UNIT PAPER NUMBER

2851

DATE MAILED: 12 04 2001

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/726,041

Applicant(s)

HAILE-MARIAM, ENDALE G.

Examiner

Khaled Brown

Art Unit

2851

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on 28 September 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☐ Claim(s) 3-54 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 3-54 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 28 September 2001 is: a) ☒ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 10
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other

**DETAILED ACTION**

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 36-54 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 36, lines 14-15, contains the phrase "conventional distance" which does not allow the exact structure of the invention and/or distance from the viewer to the screen to be determined.

Claim 45, lines 16-17, contains the phrase "conventional distance" which does not allow the exact structure of the invention and/or distance from the viewer to the screen to be determined.

Claim 36 recites the limitation "the reflective screen" in line 10. There is insufficient antecedent basis for this limitation in the claim.

Claim 45 recites the limitation "the reflective screen" in line 11. There is insufficient antecedent basis for this limitation in the claim.

Claims 36-44 and 46-54 depend from claims 36 and 45, respectively and thus contain the same deficiencies.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gale et al (US 5692820) in view of Rohr (US 4708312).

Re clms 3-54: Gale et al discloses a projection monitor system for use in combination with a personal workspace, in which the system permits an operator to view a computer image in a spatially confined area, the system comprising: a personal workspace (desk Col 2, line 28) having a first operator location and a spatially confined area (Inherently the room where the desk is located); a projector (Fig 4), having at least one video input (Col 7 line 32) for accepting a display signal from a connected computer (Col 7 line 40), capable of creating a projected computer image based on the display signal, within the personal workspace to project a computer image away from the first operator location and towards a reflective screen (Col 2 line 2) within the personal workspace, located to receive the computer image from the projector and reflect it towards the first operator location, wherein the path of the light carrying the computer image from the projector to the reflective surface and finally to the operator is a greater distance than a conventional distance from a directly transmitting computer monitor to the operator.

However, Gale et al does not disclose an adjustable arm connected to the planar work surface within the personal workspace and positioned in proximity to the first operator

location. Rohr discloses an adjustable arm (Fig 1) connected to a planar work surface (Col 3, line 58) within a personal workspace and positioned in proximity (Col 1, lines 9-10) to the first operator location that allows a display apparatus/projection monitor to be positioned in all directions with relative ease (Col 1, line 43). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use the support of Rohr connected to the desk of Gale et al to support the display apparatus/projection monitor of Gale et al because it would allow the display apparatus/projection monitor to be supported in all directions with relative ease as suggested by Rohr.

#### ***Response to Arguments***

Applicant's arguments filed 9-28-01 have been fully considered but they are not persuasive. The applicant argues (Applicants response entered 9-28-01 p.5 line 2) that the screen shown in Gale et al Fig 4 is a transparent screen and not a reflective screen. However, this is conjecture on the part of the applicant since Gale et al discloses a screen (Col 2, line 2) and goes on to say **"The screen can take a number of forms to provide varying degrees of light redirection to accommodate the preferences of a user"** (Col 2, line 15).

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in

the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, the Rohr reference gives the motivation to combine by saying that a display apparatus/projection monitor (as disclosed by Gale et al) should be used with the disclosed (by Rohr) adjustable arm so it can be positioned in all directions with relative ease (Rohr Col 1, line 43).

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khaled Brown whose telephone number is 703-306-5738. The examiner can normally be reached on M-F 8:30am-5pm.

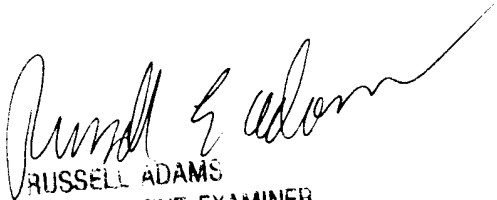
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Russell E. Adams can be reached on 703-308-2847. The fax phone

Art Unit: 2851

numbers for the organization where this application or proceeding is assigned are 703-308-7722 for regular communications and 703-308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1782.

KB  
November 29, 2001

  
RUSSELL ADAMS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2801